

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

NICHOLAS GIZA,

Plaintiff,

v.

CAUSE NO. 3:22-CV-391-JD-MGG

ARNOLD,

Defendant.

ORDER

The last address provided by Nicholas Giza was the Indiana State Prison. ECF 1. Mail sent to him at that address has been returned undeliverable because he was released. ECF 23. He declared under penalty of perjury he would “promptly notify the court of any change of address.” ECF 1 at 4. “The demand that plaintiffs provide contact information is no esoteric rule of civil procedure, but rather the obvious minimal requirement for pursuing a lawsuit.” *Tylicki v. Ryan*, 244 F.R.D. 146, 147 (N.D. N.Y. 2006) (quotation marks and citation omitted). “[L]itigants, including prisoners, bear the burden of filing notice of a change of address . . .” *Snyder v. Nolen*, 380 F.3d 279, 285 (7th Cir. 2004) (quotation mark omitted). Therefore, he will be ordered to show cause why this case should not be dismissed as abandoned.

The court acknowledges if he is not at the address on the docket, this order is unlikely to reach him. However, it is possible he will attempt to determine the status of this case by visiting the clerk’s office (if he has been released from custody) or by checking the online docket, in which case this order would alert him that he needs to

take action before the harsh sanction of dismissal is imposed. In addition, if this order is returned to the clerk as undeliverable, that will serve as further confirmation he did not provide his current address. Thus, the court believes this show cause order is appropriate notwithstanding the likelihood that it will not reach him.

For these reasons, Nicholas Giza is ORDERED to SHOW CAUSE by **February 14, 2023**, why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b). He is CAUTIONED if he does not respond by the deadline, this case may be dismissed without further notice.

SO ORDERED on January 26, 2023

s/ Michael G. Gotsch, Sr.

Michael G. Gotsch, Sr.
United States Magistrate Judge